

Name, Image, and Likeness for College Athletes

College sports is big business, and everyone is capitalizing except the players. College athletes should be able to capitalize off their name, image, and likeness (NIL) just like every other American.

- Currently, college athletes are forbidden from participating in activities that any other student could participate in. Student athletes cannot own sports camps or use their NIL to promote private lessons or any other businesses. That's like telling a world-class math scholar they can't make a few extra dollars tutoring kids.
- While the highest-profile sports are likely to draw the most attention, allowing NIL rights will benefit all college athletes. Teaching swim lessons, coaching wrestling camps, or producing instructional videos will allow the majority of college athletes who do not receive full-tuition scholarships to mitigate the financial pressures of attending college in the 21st century. This means less student-loan debt and more financial freedom as student-athletes graduate and enter the workforce.
- In 2018, the total revenue generated from all NCAA athletics departments was \$10.3 billion.¹ Despite this, student athletes are unable to capitalize beyond a scholarship on their hard work and success.

We need a national standard that levels the playing field across all states, keeps the recruiting system fair, includes guardrails that will keep our student athletes safe, and works for all athletes in every college sport, at all division levels.

- California's new law, the Fair Pay to Play Act, has created a system where schools would compete for student athletes based on which state has the most favorable laws on the books. In a bid to keep up, 15 state legislatures and counting are now racing to pass NIL laws with some taking effect as early as this year.
- In the fall of 2019, the NCAA announced they would work to provide student athletes with guidance on how to capitalize from their NIL under league rules, proposing to create new rules no later than January 2021.² However, the NCAA's timeline is too late for Division I athletes who are already being recruited for the 2023 season.
- Additionally, action taken by the NCAA will not be able to pre-empt the California law. There must be federal legislation to set one uniform standard and protect the spirit of college athletics for future generations of student athletes.

¹ NCAA. Finances of Intercollegiate Athletics, 2018 Division I Revenues and Expenses – Key Findings.

² NCAA. (Oct 29, 2019). Board of Governors starts process to enhance name, image and likeness opportunities.

Congressman Anthony Gonzalez, a Republican and former wide receiver at The Ohio State University, has been working with a bipartisan, bicameral group of legislators to introduce a bill that includes the necessary guardrails to ensure that bad actors do not take advantage of student athletes.

- Congressman Gonzalez brings the viewpoint of a student athlete to the table and recognizes the difficulties that many athletes currently face on this issue. He also has firsthand experience of the benefits being a NCAA student athlete can have on people's lives and careers. Gonzalez was an Academic All-American at Ohio State and went on to earn a business degree at Stanford University after spending five years playing for the Indianapolis Colts in the NFL.
- Congressman Gonzalez is leveraging his contacts and meeting with a broad spectrum of stakeholders on this issue, including universities, player associations, conferences, current and former players, and the NCAA. He has emphasized the importance of getting this legislation right the first time around to protect the future of college athletics while giving college athletes the same privilege all other Americans have – **the ability to fulfill their American Dream by making money from what they're good at, should they choose to work hard for it.**

Congressman Gonzalez is working to introduce a bill that:

1. Preserves the college athletic system that Americans across the country love
2. Permits student athletes to capitalize on their NIL rights in a way that benefits all college athletes in every sport, regardless of division
3. Federally pre-empts the California law, and other state laws, by creating one uniform standard for NIL
4. Protects student athletes' status as amateur, ensuring with legal clarity they are not to be considered employees of an institution
5. Provides sufficient guardrails to protect student athletes from bad actors during the recruiting and transfer process

[WATCH CONGRESSMAN ANTHONY GONZALEZ ON ESPN'S OUTSIDE THE LINES HERE:](#)

